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July 18, 1995

Paul B. Meadowbrook
Attorney at Law
P.O. Box 884
Salem, OR 97308

Re: Petition for Public Records Disclosure Order: Board on Public Safety Standards and Training

Dear Mr. Meadowbrook:

This is the Attorney General's order on your petition for disclosure of records under the Oregon Public Records Law, ORS 192.410 to 192.505. Your petition, which we received on July 11, 1995, asks the Attorney General to direct the Board on Public Safety Standards and Training (BPSST) to make available records of Mr. Daniel Bolis' sick leave usage on and after September 9, 1993. For the reasons that follow, we respectfully deny your petition.

Bob King, Business Manager of BPSST, has informed us that BPSST has not denied your records request, but is in the process of identifying their location. An agency does not deny a request merely because it fails to comply with a stated or unstated deadline by the requester. ATTORNEY GENERAL'S PUBLIC RECORDS AND MEETINGS MANUAL (1993) at 12. Mr. King further informs us that on the basis of the written authorization signed by Mr. Bolis, BPSST will make the records available to you for your review. Since BPSST has not denied your request, your petition to order disclosure is premature. Accordingly, we deny your petition.

Sincerely,

Elizabeth S. Harchenko

ELIZABETH S. HARCHENKO
Special Counsel
to the Attorney General

ESH:RSW:clr/RSW0316.LET
c: Steve Bennett, BPSST
Robert King, BPSST